

Notice of Allowability

Application No.

10/668,538

Examiner

Krystyna Suchecki

Applicant(s)

SALADIN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed 09/19/05.
2. ☒ The allowed claim(s) is/are 1-43 and 45.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Arnold on 09/29/05.

The application has been amended as follows:

In Claim 1, between lines 2 and 3, insert --means for providing a source of x-rays; means for providing an x-ray image;--

In Claim 1, at lines 13 and 14, delete "smart device" and insert therein --control device--

In Claim 39, in line 2, delete "smart device" and insert therein --control device--

In Claim 40, in line 2, delete "smart device" and insert therein --control device--

In Claim 41, in line 2, delete "smart device" and insert therein --control device--

In Claim 42, in line 1, delete "smart device" and insert therein --control device--

In Claim 43, between lines 2 and 3, insert --a source of x-rays; an x-ray imaging device;--

In Claim 43, delete line 9.

In Claim 43, in line 12, delete "." and insert therein --; and a processor controlled device cooperative with the track reader for providing information for imaging of the object.--

Cancel claim 44.

Allowable Subject Matter

Claims 1-43 and 45 are allowed.

The following is an examiner's statement of reasons for allowance: Claim 1 contains allowable subject matter for at least the reason that the prior art of record fails to teach or reasonably suggest a radiological imaging apparatus having means for supporting an object tray and an object thereon comprising source, imaging, compression, carriage means, the means for compression having a direction of mobility relative to the mobile carriage that is other than a direction of compression of the object, the means for compression comprising means for identification of the means for compression cooperating with means for reading of the mobile carriage regardless of a lateral displacement of the means for compression relative to the means for reading, the means for reading cooperating with a control device of the apparatus for providing an image of the object, as claimed. While art such as Defreitas (US 2005/0063509) and Zimmermann (US 2004/0064027) teach means for identifying interchangeable parts of radiological imaging apparatus, Zimmermann fails to teach identification regardless of a lateral displacement of the interchangeable part, and Defreitas fails to teach the means for compression comprising a means for identification that cooperates with a control device for providing an image of the object. Claim 43 contains allowable subject matter

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for at least the reason that the prior art of record fails to teach or reasonably suggest a radiological imaging apparatus having a column for supporting an object tray and an object thereon comprising a source, an imaging device, a compression pad, a mobile carriage, and a plurality of identification tracks disposed at the compression pad for identifying the compression pad, a track reader for cooperating with the identification tracks regardless of a lateral displacement of the compression pad relative to the track reader and a processor controlled device cooperating with the track reader for providing information for imaging the object, as claimed. Claims 2-42 and 45 contain allowable subject matter at least by virtue of their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krystyna Suchecki whose telephone number is (571) 272-2495. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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